

Attorney Docket No. 10559-148001
Serial No.: 09/539,928
Amendment dated March 4, 2004
Reply to Office Action dated December 4, 2003

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

After entry of this amendment, claims 1-3 and 6-23 and 25-29 will be pending in the case..

Claims 1-4, 7, 8 and 17 stand rejected under 35 USC 102(e) as allegedly being anticipated by Flint.

Claims 5-6 stand rejected over Flint in view of Green.

Claims 9-16 stand rejected over Flint in view of Green.

Claims 18-20 stand rejected over Flint in view of Green.

In addition, claims 21-24 stand rejected over Flint in view of Green in view of Cunningham.

In response, each of the independent claims, including claims 1, 9, 17 and 21 have been amended to further emphasize their patentable distinctions. As amended, each of these claims are completely patentable over the cited prior art.

Claim 1 has been amended to recite that the connection is a virtual private network connection, which by itself distinguishes over Flint which teaches a technique for use in a firewall. Even assuming that teachings of Flint could be used in a virtual private network, the subject matter of amended claim 1 is not in any way taught or suggested by the cited prior art.

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An important feature of the present system is the way the client gets policies for secure connections over virtual private networks, and enforces the policies from the VPN over the network, in a special way. The policies are effectively ways of defining the conduits for data traffic. The policies define what can and cannot be done over the network, but do so with context. Claim 1 has been amended to recite that the remote system has predetermined configuration information and allows one application program to run. Claim 1 also recites that the activities in the system are regulated both based on the security policies and context of the at least one application program, including at least a state of running of the application program.

An advantage of this is described in the specification. For example, using a word processing example, word processing packets may be allowed only when the word processing program is actually running. A raw policy may simply say packets of type x can be allowed through the secure connection. However, certain viruses and worms operate by masquerading their packets as other packets. If an attacker knows they can masquerade the packet as a word processing file, then it can simply do so. However, by regulating the system based on the context of application program including its running state, as claimed, this security

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hole can possibly be filled. A word processing packet cannot get through this system, for example, when the word processing application program is not running. Therefore, this system may be more secure than other comparable systems for this reason.

Flint teaches nothing about this kind of security policy. The security policy of Flint may be configured to block certain kinds of packets and certain kinds of scripts and certain kinds of posts. There is nothing teaching or suggesting, however, that the packet blocking is based not only on the access rules, but also the running state of an application program.

Admittedly, Flint does teach that the access rules are formed using decision trees allowing decisions to be made for criteria such as time of day or the like. However, there is no decision rule stated in Flint which teaches or suggests using the running state of an application program.

Filters are also described as beginning at the bottom of column 4. Again, there is no teaching or suggestion of policies which are enforced based on the running state of at least one application program.

Claim 9 has been amended in a comparable way to include comparable limitations and should be allowable for similar reasons to those discussed above. Claim 9 was rejected based on Flint in view of Green. Green does not make up the missing

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teaching noted above. Specifically, Green teaches techniques for type enforcement, and reviewing of packets and packet processes. Nowhere is there any teaching or suggestion of the features noted above, specifically using the state of the application program as well as the policies to determine whether to accept or reject packets.

Claim 17 has been amended in a similar way, and should be allowable for similar reasons.

Claim 21 has been amended to include the limitations of claim 24 therein which has now been cancelled. Claim 24 was rejected based on Flint in view of awaiting for and further in view of Cunningham. Cunningham clearly does show network access, as noted above. However, nowhere in Cunningham is there any teaching or suggestion of using the running state of the application in connection with the policies to determine access, as claimed.

The newly added dependent claims defined further details about this operation, and should each be independently allowable over the prior art which does not suggest for so this subject matter.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or

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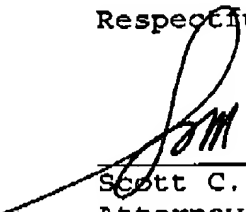
concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all of the claim should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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